

To: Alberta Utilities Commission

Re: Bulletin 2024-20 - Rule 009: Rules on Local Intervener Costs

I, Amy Marcotte, come before the AUC with my view and recommendations to rule 009 update. I come as a former, ( 27486), and current, (28906), intervener on this subject. While also helping other group(s) of interveners navigate the AUC process, with their own objections on project applications.

With regards to Agents, I strongly believe lawyers should be used and highly recommended. Lawyers are held to high standards, know the legal system and will not cause frustration before the AUC, unlike non- legal representatives. Lawyers also have a governing body, which they answer to when complaints are filed, unlike non-legal representatives. But just because a non-legal representative is used, does not mean they do not know how the system works, they could have personal experience and knowledge of said proceedings, and should be given the same respect.

Group(s) who start with a non-legal representative, and then proceed with adding a lawyer, the non-legal representative should step back. This way, for cost claims, no duplicate “ double dipping” issues are before the AUC. For this, I will go back to Dolcy, ( proceeding 29146-D01-2024: Dolcy Solar Inc), paragraph 13, 18-21, due to unknown status, seeking money, and causing frustration with the AUC and the applicant, this is a prime example that once a lawyer is now used for said group(s) representation with the AUC, the non-legal representative should step back. This also works in reverse, group(s) wants legal to leave and have a non-legal representative instead.

If the non- legal/ legal representative is seeking money, after a lawyer/ non-legal has been brought in, costs should be done outside the AUC proceeding, with said group(s) with said non-legal/ legal representative, to not cause a situation of “double dipping” in the AUC proceedings. This would be fair to all parties and would not “muddy” the AUC process, everything is streamlined, fair and will not cause extra work for the AUC. This said issue is before the AUC in proceeding 29226 – X0068 paragraph 32, again. The emphasis is that only one representative, (legal or non-legal), is before the AUC of the group(s) choosing, and that sole representative, (legal or non-legal), can seek fee reimbursement before the AUC only. Anything up and beyond said situation, is between the group(s) and other said representative, (legal or non legal). This makes sure its fair to all parties and limits possible “double dipping” for cost claims, while minimizing the AUC workload in shorting who did what for what fee reimbursement.

The AUC does not make it easy for individuals who are effected by said project application, may not be given enough time to find the correct legal/ non-legal representation, due to lack of consultation/ being notified of said project, examples are not limited to just proceedings 28295, 29380, 29274, etc. The amount of time given to file SIPs are not long enough, especially during seeding and harvest times. This gives interveners a restriction in being able

to participate in said proceeding, which can effect who they get to represent them or group(s). More time should be given during these times to find correct legal/ non-legal representatives, but if they do not choose a legal representative, should not penalize said chosen representative, for they too, do a lot of work before the AUC.

Now, if said group(s) keeps with a non-legal lawyer, examples are proceedings: 27691, 27837, 28866, 26214, ( to name a few), had individuals and or group(s) represented by a non-legal representative before the AUC. These non-legal representatives, should be given the same compensation as a lawyer, it may not equal to \$350 an hour, but should be given the same fairness, for they too, can do the same work as a lawyer, ( filling SIPs, filing motions, asking questions, go before the AUC in oral argument, bringing forth witnesses, etc...). Giving these types of representatives the bare minimum, defeats giving interveners choice of a fair and just application proceeding, that should be given in good faith to both parties.

Furthermore, for a large group(s) of interveners, ( approx 60+ in one group and or representative of multiple groups: example proceeding 28906, 29274), before the AUC, comes more work for the legal representative, thus better cost recovery should be given, especially for interveners witnesses. This way, interveners' witnesses will be of high quality, just like project applicants witnesses. I am helping a group currently, who wanted such and such high quality witness, but witness refused, due to the lack of reasonable compensation from the AUC. This puts the interveners group in a disadvantage, and is highly discouraging to said group(s). Due to the applicant having money to spend, yet, the direct individuals who are impacted do not. This situation is also unfair and highly discourages a fair AUC proceeding process, leaving the interveners frustrated and helpless with the AUC.

Finally, intervener honoraria should be given to all interveners with or without standing, to a max of 3 non-standing individuals, ( who live in said area), that have provided useful and informative documentation, that they are impacted and provided written evidence in said proceeding, example 27486-X0106 – paragraph 12 and 13, 27486- X0042, 27486 -X 0160, 27486 transcript Vol 4 page 818 and Vol 5 page 826-851. Time, research, writing, and also giving oral testimony, should be given in an amount of \$100 - \$600 max.

While interveners who are given standing, provide documentation, ask and respond to IRs, and do participate in oral argument, should be given more in compensation, whether they formed the group or not. They too, also provide value to the AUC, to give the AUC a full perspective of the impacts of said application proceedings. These individuals miss work, family time, life, stress and anxiety to be a part of said proceeding to be heard, fair compensation should be given,( depending on involvement \$ 100 - \$5000 max).

I kindly submit my feedback on the Rule 009 update to the AUC for their consideration.

Amy Marcotte  
Blackie Alberta  
wiebe.amy@gmail.com